

## **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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HEALTHCARE DISTRIBUTION ALLIANCE,

Plaintiff,

v.

HOWARD A. ZUCKER, in his official capacity as  
Commissioner of Health of New York; and  
BARBARA D. UNDERWOOD, in her official  
capacity as the Attorney General of New York,

Defendants.

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18 Civ. 6168 (KPF)

**[PROPOSED] AMENDED JUDGMENT**

On December 19, 2018, the Court granted plaintiff Healthcare Distribution Alliance's ("HDA") motion for summary judgment in an Opinion and Order. (Dkt. #56 at 52). Also on December 19, 2018, the Clerk of Court entered judgment pursuant to the Opinion and Order. (Dkt. #57). HDA has now moved to amend the clerk's judgment to reflect the relief awarded in the Opinion and Order.

HDA's motion to amend the clerk's judgment is GRANTED. The Court now enters this amended judgment awarding declaratory and injunctive relief pursuant to Federal Rule of Civil Procedure 58.

The Court hereby DECLARES that the Opioid Stewardship Act, 2018 N.Y. Sess. Laws 57, S.7507-C, *codified at* N.Y. Pub. Health Law § 3323 *and* N.Y. State Fin. Law § 97-aaaaa ("the OSA"), violates the Commerce Clause of the Constitution.

Defendants and all of their officers, agents, servants, employees, successors, assigns, and attorneys, as well as any persons or entities acting in concert with them or on their behalf are hereby PERMANENTLY ENJOINED from enforcing the OSA. The Court retains jurisdiction to

enforce compliance with and consider all issues arising from or in connection with this injunction.

Dated: December \_\_\_, 2018

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Katherine Polk Failla  
United States District Judge